



I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AND FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20231, ON THE DATE INDICATED BELOW.

BY:

Carole W. West

DATE:

August 10, 2001

**PATENT
BOX AF**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of : Group Art Unit: 1633
Darwin J. Prockop *et al.* :
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:
Appln. No.: 09/028,395 : Examiner: Janet M. Kerr
:
:
Filed: February 24, 1998 :
: Attorney Docket
For: ISOLATED STROMAL CELLS : No. 9598-32US
FOR USE IN THE TREATMENT : (53844-5002-00)
OF DISEASES OF THE CENTRAL : AUHS-318
NERVOUS SYSTEM :
:

TECH CENTER 1600/2900

AUG 15 2001

RECEIVED

**NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Decision dated February 14, 2001, Paper No. 17, of the Primary Examiner finally rejecting claims 1-20.

The item(s) checked below are appropriate:

- ☐ A Petition for Extension of Time with extension fee for three (3) month(s) up to and including _____, to respond to the final rejection was filed on _____.
- ☒ A Petition for Extension of Time for 3 month(s) to file the Notice of Appeal and our check in the amount of \$ 445.00 for the extension fee are enclosed.
- ☒ Our firm's check, in the amount checked below is enclosed.
- ☒ \$155.00-- a Small Entity Declaration has been filed previously in this case.
- ☐ \$310.00 -- no Small Entity Declaration is appropriate.

- ☐ Not required (fee paid in prior appeal).
- ☐ An oral hearing before the Board of Appeals is respectfully requested.
- ☐ Our firm's check in the amount indicated below is enclosed for this request for an oral hearing.
- ☐ \$135.00 - a Small Entity Declaration has been filed previously in this case.
- ☐ \$270.00 - no Small Entity Declaration is appropriate.
- ☒ Any additional required fees or any overpayments may be charged or credited to Deposit Account No. 50-0310 (Billing No. 53844-5002-00), one additional copy of this Notice is enclosed for accounting purposes.

Respectfully submitted,

DARWIN J. PROCKOP ET AL.

August 10, 2001
(Date)

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KD/prw

Enclosures (Check; Petition for Three-Month Extension of Time)